

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRUSTEES OF THE UNIVERSITY OF)
PENNSYLVANIA,)

Plaintiff,)

v.)

Civil Action No. 2:15-cv-06133-WB

ELI LILLY AND COMPANY,)

IMCLONE LLC and)

BRISTOL MYERS SQUIBB COMPANY,)

Defendants.)
_____)

**DECLARATION OF SUSAN M. KRUMPLITSCH IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANTS' MOTION TO STAY PENDING *INTER PARTES*
REVIEW**

I, Susan M. Krumplitsch, declare:

1. I am an attorney at the law firm of Cooley LLP and counsel to Plaintiff Trustees of the University of Pennsylvania ("Penn") in the above-captioned matter. I declare that the following statements are true to the best of my knowledge, information, and belief, and that if called upon to testify, I could and would testify competently thereto. I make this declaration in support of Plaintiff's Opposition to Defendants' Motion to Stay Pending *Inter Partes* Review.

2. Attached as Exhibit A is a true and correct copy of a Non-Final Rejection for U.S. Patent Application No. 13/796,468, dated November 20, 2013.

3. Attached as Exhibit B is a true and correct copy of a Submission of Information Disclosure Statement (IDS) Under 37 C.F.R. 1.97 and 1.98 for U.S. Patent Application No. 10/100,592, dated December 8, 2003.

4. Attached as Exhibit C is a true and correct copy of a Non-Final Rejection for U.S. Patent Application No. 10/100,952, dated June 15, 2006.

5. Attached as Exhibit D is a true and correct copy of an excerpt of the case docket for *Clouding IP, LLC v. SAP AG*, Case No. 13-1456-LPS, *Oral Order* at Docket No. 35 (D. Del. Jan. 21, 2014).

Dated: February 1, 2016

/s/ Susan M. Krumplitsch
Susan M. Krumplitsch

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